

# River Heights City

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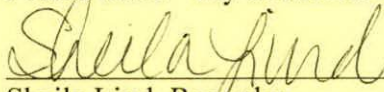
## PLANNING COMMISSION AGENDA

**Tuesday, March 10, 2020**

Notice is hereby given that the River Heights City Planning Commission will hold its regular commission meeting beginning at 6:30 p.m. in the River Heights City Office Building at 520 S 500 E.

- 6:30 p.m. Pledge of Allegiance and Adoption of Previous Minutes and Agenda
- 6:35 p.m. Discuss Clear View of Intersecting Streets (RHCC 10-13-15)
- 6:45 p.m. Discuss Beekeeping in Residential Zones
- 6:55 p.m. Revisions to the General Plan
- 8:00 p.m. Adjourn

Posted this 5<sup>th</sup> day of March 2020

  
\_\_\_\_\_  
Sheila Lind, Recorder

Attachments for this meeting and previous meeting minutes can be found on the State's Public Notice Website ([pmn.utah.gov](http://pmn.utah.gov))

In compliance with the American Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify Sheila Lind, (435) 770-2061 at least 24 hours before the meeting.

# River Heights City

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River Heights City Planning Commission  
Minutes of the Meeting  
March 10, 2020

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6 Present: Commission members: Levi Roberts, Chairman  
7 Noel Cooley  
8 Heather Lehnig  
9 Cindy Schaub - by phone

10  
11 Councilmember Blake Wright  
12 Recorder Sheila Lind

13  
14 Excused Commissioner Lance Pitcher

15  
16 Others Present Zakk and baby boy Rhodes  
17

## 18 Motions Made During the Meeting

### 19 Motion #1

20  
21 Commissioner Lehnig moved to "accept the corrected minutes of the February 25, 2020  
22 Commission Meeting." Commissioner Cooley seconded the motion, which carried with Cooley,  
23 Lehnig, Milbank and Schaub in favor. No one opposed. Pitcher was absent.  
24  
25

## 26 Proceedings of the Meeting

27  
28 The River Heights City Planning Commission met at 6:30 p.m. in the Ervin R. Crosbie Council  
29 Chambers on March 10, 2020. In the absence of Commissioner Schaub, Commissioner Roberts  
30 chaired the meeting.

31 Pledge of Allegiance: Commissioner Lehnig led in the Pledge of Allegiance.

32 Adoption of Prior Minutes and Agenda: Minutes for the February 25, 2020 Planning  
33 Commission Meeting were reviewed with a couple changes.

34 **Commissioner Lehnig moved to "accept the corrected minutes of the February 25, 2020**  
35 **Commission Meeting." Commissioner Cooley seconded the motion, which carried with Cooley,**  
36 **Lehnig, Milbank and Schaub in favor. No one opposed. Pitcher was absent.**

37 Discuss Clear View of Intersecting Streets (RHCC 10-13-15): Commissioner Cooley led a  
38 discussion on his latest draft, which included the changes suggested at the last meeting.  
39 Commissioner Schaub was interested in limiting growth within the 40-foot triangle to only 2 feet,  
40 rather than 3 feet, due to safety concerns with small children. Mr. Cooley pointed out, grasses  
41 wouldn't be allowed if they limited it to under 3 feet.

42 Commissioner Cooley didn't like the idea of a tree being located on the very corner of the lot.  
43 To have it farther back would allow for better visibility.

44 Councilmember Wright explained the reason for the discussion: The city's code compliance  
45 officer has been trying to enforce this section of the code in certain situations. Mayor Rasmussen has  
46 also been involved. They are finding some nice landscaped corners which still have visibility but,  
47 don't meet the code. They have asked that this section of the code be revisited to allow taller plant  
48 material, at a certain distance apart to allow for visibility. Mr. Wright felt the draft covered what was  
49 asked of them.

50 The commissioners agreed with the suggestions presented and were agreeable to moving  
51 forward with a public hearing.

52 Recorder Lind informed there are additional code changes which need to be addressed at the  
53 next hearing. The commission asked for all the changes to be presented at the next meeting before a  
54 hearing is scheduled.

55 Discuss Beekeeping in Residential Zones: Commissioner Lehnig discussed a draft she had put  
56 together on beekeeping. She explained some of the restrictions and informed that bees can be  
57 somewhat trained. A 6 foot fence or hedge will deter them from going into a neighbors' yard. The  
58 state requires hives to be registered. She said, if hive problems arose in the city, they could be  
59 mitigated with the help of the state.

60 The commission discussed and asked for clarification on Ms. Lehnig's draft, as well as whether  
61 or not the city should require beekeepers to apply for a conditional use permit (CUP). Commissioner  
62 Schaub expressed concern with having hives in residential zones, because of the risk for those who  
63 are allergic to bees. Councilmember Cooley felt a CUP could be required so the city would be aware  
64 of all the hives. He pointed out that bees are endangered and should be allowed. They benefit  
65 gardens and trees. Ms. Schaub asked if the city would be taking on liability by allowing them. The  
66 group was unsure, but didn't think so. Commissioner Roberts suggested, if they end up not requiring  
67 a CUP, beekeepers could still be required to obtain some kind of license from the city. They discussed  
68 a possible acreage limit on the number of hives.

69 Discussion was held on adjustments to the land use chart.

70 Commissioner Schaub brought up the possibility of three neighbors in a row having hives,  
71 which could create problems. Commissioner Lehnig explained, European Honey Bees are territorial  
72 and wouldn't normally be a problem.

73 They decided on allowing two hives in residential zones. If a person wants more than two, a  
74 CUP would be required.

75 Zakk Rhodes said Providence allows up to four in residential zones, with a CUP required for  
76 more than that.

77 The changes discussed will be brought before the commission at the next meeting, along with  
78 the other code changes.

79 Revisions to the General Plan: Commissioner Roberts discussed the affordable housing  
80 section and the additional edits to the changes Commissioner Milbank had drafted. During the  
81 discussion, other minor changes were made.

82 Commissioner Cooley asked how they felt about allowing an R-1-6 zone, under certain  
83 conditions. He realized some developers would try to take advantage of the smaller zone.  
84 Commissioner Roberts would agree with 6,000 square foot lots. Councilmember Wright read from  
85 the code regarding PUDs, which would allow smaller lots, with the required open space.

86 After completing their review of affordable housing it was determined they were finished  
87 reviewing each of the sections.

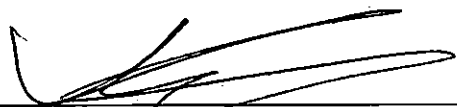
88 Commissioner Schaub remembered they had planned to address preferred zones on future  
89 annexations. Commissioner Cooley felt properties would look more inviting for developers if they  
90 didn't have too many restrictions. Ms. Schaub asked if they could limit the areas to no more than two  
91 story dwellings. Councilmember Wright agreed these types of things could be discussed with  
92 developers when they approach the city. He wouldn't want to scare them away before they checked  
93 with what River Heights could offer.

94 Discussion was held on the annexation map and a few changes were made.


95 Recorder Lind will put all the sections together for them to review. She will also get copies to  
96 the city attorney and engineer to request their comments.

97 It was determined that they will not meet on the 24<sup>th</sup> due to caucus meetings. If Jeremy  
98 Larsen gets his plans turned in, the commission would accommodate him on March 31, otherwise,  
99 they wouldn't meet again until April 14.

100 The meeting adjourned at 8:20 p.m.

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102  
103  
104  
105 

106 Levi Roberts, Commission Chair

  
\_\_\_\_\_  
Sheila Lind, Recorder

**10-13-15: Clear View of Intersecting Streets (revised 3/6)**

Obstruction of vision on corner lots within forty feet (40) of edge of pavement of intersection shall not be permitted from ~~two feet (2')~~ three feet (3') to ten feet (10') above finished grade. Trunks of trees, light or telephone poles or other small vertical protrusions not more than twelve inches (12") in diameter shall be permitted.

If trees are more than twelve inches (12") in diameter and are not located on the corner of the lot, they must be spaced more than eight feet (8') apart.

Ornamental grasses, flowers, shrubs are permitted if they are spaced six feet (6') apart and are not higher than three feet (3') above street level. All plantings shall maintain a clear visibility of 70% ( Above ground power transformers are allowed if are less than forty inches (40").

cindy\_schaub@hotmail.com

Wed, Mar 4, 3:28 PM (18 hours ago)

Hi to all!

In the event that I have issues hearing you on Tues, I would like to change my position on the 40 foot clear right of way view regarding vegetation/bushes.

Heather looked at other cities' ordinances and their max height on clear view was 3 feet, not 2 as RH currently has. Discussion was held and I thought we could go to 3 feet as well.

However, I would like to keep it at 2 feet. With our community having so many small children, I feel they could possibly hide behind the bushes and not be seen if the bushes were at 3 feet.

I recall Noel was going to rewrite the verbiage stating bushes could be at 3 feet height with a max of 1 foot wide and 3 feet apart.

I would like to stay at 2 feet since the purpose is to have a clear view for safety reasons.

If the P&Z recommends changing it to 3 feet, it should be measured from street level.

Thank you,

Cindy

and hive type

Bee colonies shall be kept in accordance with state regulations.

Title 5

Chapter 5 BEES

4 → (move Nuisance chapter to 5)

1. All bee colonies shall be kept in Langstroth type hives with removable frames, (approximate dimensions 9 ½ inches depth, 14 ½ inches width, 18 5/16 inches length). Brood hives and supers vary in depth. A colony will normally be kept in a brood hive ~~with one or two supers.~~ Equipment is to be kept in good operating condition.
2. All apiaries are to be located 15 feet or more from the property line, or beekeeper shall establish and maintain a flyway barrier at least six (6) feet in height consisting of a solid wall, fence, dense vegetation or combination thereof.
3. Flyway Barriers are in place to have a general flight pattern for bees in a direction that will deter bee contact with humans and domesticated animals.
4. A person shall not locate or allow a hive on property owned or occupied by another person without first obtaining written permission from the owner.
5. Each beekeeper shall ensure that a convenient source of water is available at all times, continuously between March 1 and October 31, so that the bees will not congregate at swimming pools, pet water bowls, birdbaths or other water sources where they may cause human, bird or domestic pet contact.
6. ~~Normal private bee keeping activities in the city would include one or two bee colonies. Up to four colonies are permitted.~~ *are permitted for up to*
7. An apiary may be maintained in a side yard or the rear yard of any residential lot. In no case shall a hive be located in a front yard of a residential lot. *A cup is required for more bee colonies.*
8. Bee colonies may be kept in all zones of the City as long as these guidelines are met and all beekeepers follow state regulations for licensing.
9. In the event of a conflict between any regulation set forth in this section and honeybee management regulations adopted by the State of Utah, the most restrictive regulations shall apply.

10-12-1: Land Use Chart

- Move from 90 to Accessory and incidental Uses
- Start A & I Uses at 15.

## 5 AFFORDABLE HOUSING

### 1.1. MODERATE INCOME HOUSING PLAN

The availability of moderate income housing is an issue of City-wide concern. To this end River Heights City should strive toward a reasonable opportunity for a variety of housing, including moderate income housing, to meet the needs of people desiring to live in River Heights.

Moderate income housing is defined by the Utah State Code as: "...housing occupied or reserved for occupancy by households with a gross household income equal to or less than 80% of the median gross income..." of River Heights residents.

At publication of this document, many areas of the United States face an affordable housing crisis. Housing cost and limitation are major problems, particularly in larger urban communities and other areas. This situation, while not as dire, is reflected in River Heights City and communities around Logan City. Housing is considered affordable when a household spends no more than 30% of available income on housing-related expenses (Rent/mortgage and utilities). Moderate-income housing is affordable to households which earn below 80% of the area median income (AMI).

Although growth is projected to continue in River Heights, areas for new growth are relatively limited. River Heights is relatively small, with a land area of only six-tenths of a square mile. Annexation of adjacent undeveloped land is limited because the City is landlocked by Logan City to the West, North and East; Providence City borders River Heights to the South. Most open land in River Heights has been built upon and developed into single family residential (R-1) zones. Although approximately 132 acres remain undeveloped, most of this land exists in small noncontiguous lots within existing residential zones. However, the City will strive to ensure that existing supplies of moderate-income housing opportunities are preserved and that as the community grows, there is the appropriate level of housing options to meet the need of future residents.

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River Heights City should strive toward providing opportunities for a variety of housing, including moderate income housing; however, land availability and current zoning laws are limiting factors.

This plan must address the following five issues:



This plan ~~attempts to address~~ the following five issues:

1. An estimate of the existing supply of moderate income housing ~~located within the municipality;~~
2. An estimate of the need for moderate income housing ~~in the municipality~~ for the next five years as revised annually;
3. A survey of total residential zoning;
4. An evaluation of how existing zoning densities affect opportunities for moderate income housing; and
5. A description of the municipality's program to encourage an adequate supply of moderate income housing. Affordable Housing Goals and Recommendations to ensure that existing and future residents of River Heights have a reasonable opportunity to obtain affordable housing.

#### 5.1.1 Existing Supply of Moderate Income Housing

The median income for a household in River Heights is \$53,750. The average household in River Heights has 3.3 people. These figures are from the 2000 census report, the latest year for which this data is available.

As reported in the 2000 census, River Heights has 493 total housing units in the City. These accommodations were divided as follows: 479 occupied; 380 owner-occupied houses; 74 rental units.

The 2000 census estimated River Heights has 463 single family homes. If more than 30% of a household's income is spent on housing, funds for other necessities such as food, transportation, and health care may be insufficient. Therefore, the maximum amount that should be spent for housing (maximum monthly rent or mortgage plus utilities) for the households with less than 80% of the median income would be \$1,075. As of the 2000 census report approximately 25% of the housing in River Heights cost less than \$1,075 per month.

River Heights currently has 680 dwellings billed for utilities, with approximately 715 housing units located within the City\*. Approximately 27% or 184 of these dwellings are older homes located in the center of the City. Most of these homes were built before 1950, are smaller and therefore more likely to be generally more affordable. A number of these houses are rented or

homeowners  
refer eligible to programs administered

have apartments within them. In order to preserve the supply of moderate-income housing opportunities, the City should assist homeowners in financing repairs, including referring eligible recipients to programs administered by Bear River Association of Governments (BRAG).

to finance repairs.

Approximately 49% or 65-6525 dwellings or the dwellings in River Heights are rental homes or apartments with 2-5 units. \* Almost 15% of housing in the City is renter-occupied with the remainder being owner-occupied. Median gross rent was \$867 as of 2017. \*\*Monthly rent on an apartment in River Heights currently ranges from \$550 to \$650 for an apartment within a house and from \$800 up for entire house.

The State of Utah's Five-Year Housing Projection Calculator estimates housing need primarily based upon US Census Bureau American Community Survey data. According to this calculator, there are currently 130 units affordable to those earning below 80% AMI with 105 renter households earning below 80% AMI, suggesting that there is generally not a gap in affordable rental opportunities for those currently residing in River Heights. However, in lower income brackets (below 50% AMI), there is a gap between available and affordable units and households, suggesting that some households may need subsidies to afford housing costs.

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### 5.1.2 Estimated Need of Moderate Income Housing over the Next Five Years

River Heights' population in 2000 was 1,495. Based on the recent growth rate of 1.0% per year, River Heights will add 165 citizens by 2010 increasing the population to approximately 1,660 persons. This equates to 50 new households since 2000 based on an average household size of 3.3 individuals (as per current population estimates).

The Utah Department of Community and Economic Development developed a mathematical computer model to estimate the existing and projected affordable housing needs for a municipality. The computer model uses a spreadsheet program to make descriptive statistics, as provided by the State, to estimate the affordable housing needs. Inputs to the model included the number of houses in River Heights, the number of rental units, the monthly housing costs as a percentage of income, the number of new houses built, income distribution, population projections, housing stock assumptions, and mortgage assumptions.

The findings of that model indicated there was a sufficient supply of affordable housing for households earning 80% of the median income at the time.

The current population of River heights is 2,156. Should growth continue at the current rate of 1.0% per year, River Heights will add approximately 22 to 25 people per year increasing the population by 125 to approximately 2281 by 2025. Based on an average household size of 3.19

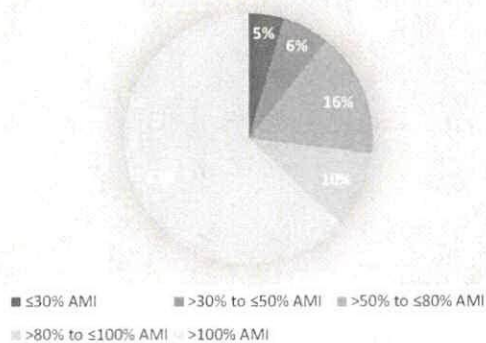
the year

*the year*

individuals (\*as per current population estimates) this equates to an increase of approximately 39 new households by 2025. Using the poverty level estimate cited in 5.1.4 of 7%, an additional 3 individual residential units should be moderately priced. Approximately 27% or 175 households within River Heights earn below 80% of the Area Median Income. Assuming that new households have the same income distribution and household size as the current population, at least 11 additional housing units should be affordable to low and moderate-income households by 2025.

*the year*

River Heights Households by Income Level



### 5.1.3 Survey of Total Residential Zoning

River Heights is a community of mostly single family homes, with a few twin homes and apartment units. The zones in which residential living is most likely are R-1-8, R-1-10, R-1-12 and Mixed Use. Within residential zones there is an allowance for Planned Unit Developments which would effectively increase residential housing density. River Heights also has a small Agricultural zone.

Historically River Heights has been a residential community of primarily single family homes, with a few twin homes and apartment units. As cited in 5.1.1, there are 680 housing units billed for utilities. These dwellings are in residential zones designated as R-1-8, R-1-10 and R-1-12. Within residential zones there is an allowance for Planned Unit Developments which would effectively increase residential housing density. River Heights also has a small Agricultural zone.

*could*



Current land use in River Heights divides into the following approximate percentages: 82% R 1 residential or Parks and Recreation; 15% agricultural; and 3% Commercial. An area on the West side of River Heights adjacent to Logan City has been designated to allow Mixed Use and would allow apartment buildings, which may be developed to be affordable to moderate-income households. The Commercial use has been built out with businesses that provide employment opportunities, however, there are no residential dwellings.

#### 5.1.4 Effect of Existing Zoning on Opportunities for Moderate Income Housing

It appears from the data received from the model that River Heights zoning densities has allowed for sufficient housing for moderate income families. River Heights is unique due to its small size (approximately ½ square mile area). And although there is a Mixed Use allowance on the west side of town, there are currently no commercial businesses operating which would provide jobs.

Additionally, River Heights is surrounded by the communities of Logan and Providence which currently have excessive low to moderate income apartments available for rent within 80% of the median income. Families making 50% of the median income, who will typically be renters, may be affected by zoning, but may also be impacted by market conditions beyond the control of the City. Families making 30% of the median income will need federal or state government housing assistance and are beyond the scope of zoning influence.

The median income for a household in River Heights is \* \$67,294. The median property value is \* \$228,500. If more than 30% of a household's income is spent on housing, funds for other necessities such as food, transportation, and health care may be insufficient. Therefore, the maximum amount that should be spent on housing (maximum monthly rent or mortgage plus utilities) would be approximately at the following levels based on a \$67,294 median (MI) income.

80% MI = \$53,834: 30% or \$1346 per month of this income would be available for housing.

50% MI = \$33,647: 30% or \$841 per month of this income would be available for housing.

30% MI = \$20,188: 30% or \$505 per month of this income would be available for housing.

River Heights has a limited number of available rental units; however, there are rental dwellings at a range of prices available in Logan City and Providence\*\*. Some of these are large apartment complexes on the border of River Heights and in Logan and Providence.

Families making below 80% of the median income, who will typically are more likely be renters, may be affected by the limiting housing opportunities, which restrictive zoning impacts, but may

also be impacted by market conditions beyond the control of the City. Families making 30% of the median income or lower will often need federal or state government housing assistance regardless of housing availability. However, allowing for opportunities for a wider variety of housing types, such as apartments or townhomes in future mixed-use zones will provide for the projected moderate-income housing need within the community, and are beyond the scope of zoning influence.

River Heights has a poverty rate of ~~\*\*\*6.6~~ percent or about 140 people. The national average is 14 percent. (The 2017 federal poverty level is \$12,060 for a single individual; \$16,240 for a two-person household; and \$20,420 for three.)

#### **5.1.5 Program to Encourage an Adequate Supply of Moderate Income Housing**

(See Affordable Housing Goals and Policies below)

## **5.2 AFFORDABLE HOUSING GOALS AND RECOMMENDATIONS**

**5.2.1 Goal:** Provide moderate and low income home ownership opportunities.

————— **Policy:** Support the Bear River Association of Governments' existing low income home buyer programs.

**5.2.2 Goal:** Assist low income homeowners in financing home repairs.

————— **Policy:** Help low income homeowners secure minor and major home repair loans from the Bear River Association of Governments (BRAG). BRAG can make minor repair loans; they also have a program for making loans for major home repairs.

**5.2.3 Goal:** Maintain the supply of affordable housing units

#### **Policies:**

1. Retain the R-1-8 zone which allows single family homes on lots of 8,000 square feet.
2. Continue to allow manufactured homes in the City.
3. Allow owners who occupy their home to rent their basement or similar apartments in the same home.

**5.2.1 Goal:** Provide moderate and low income home ownership opportunities.

**Policy:** Inform prospective residents of the Bear River Association of Governments' existing low income home buyer programs.  
Please visit: <http://brag.utah.gov/housing/>

**5.2.2 Goal:** Assist low income homeowners in financing home repairs.

**Policy:** Inform prospective homeowners about minor and major home repair loans from the Bear River Association of Governments (BRAG). BRAG can make minor repair loans; they also have a program for making loans for major home repairs. Please visit: <http://brag.utah.gov/housing/>

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**5.2.3 Goal:** Maintain conditions to facilitate affordable housing unitsopportunities

**Policies:**

4. Retain the R-1-8 zone which allows single family homes on lots of 8,000 square feet.
5. Retain the Mixed Use zone which allows apartments.
6. Continue to allow manufactured homes in the City.
7. Allow owners who occupy their home to rent their basement or similar apartments in the same home.
8. Allow property owners to rent homes.

### **5.3 REFERENCES**

1. \*2017 American Community Survey 5-year Estimates
2. \*\*Thompson Property Management, Apartments.com, Reeder Property Management, Catalyst Property Management and a local property manager.
3. \*\*\* Viz Builder — <https://datausa.io/profile/geo/river-heights-ut/>
- 4-3. Bear River association of Governments - <http://brag.utah.gov/housing/>